



Department of State

TELEGRAM

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AN: D770068-0026

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ACTION NEA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03
NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 OHA-02
IO-13 /071 W

-----270350 064533 /70

R 270330Z FEB 77

FM AMEMBASSY KABUL

TO SECSTATE WASHDC 1553

INFO AMEMBASSY ISLAMABAD

AMEMBASSY NEW DELHI

AMEMBASSY TEHRAN

(RELEASE)
(INFO)
(PRIORITY)

Let Kelley via 5/21/90

TS authority is

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E.O. 11652: N/A

TAGS: PG0V, AF

SUBJ: PRESIDENT DAUD SIGNS NEW CONSTITUTION

REF: A. KABUL 0799; B. KABUL 1188

1. AT ONE POINT DURING THE FINAL DAYS OF THE LOYA JIRGAH (NATIONAL CONSTITUENT ASSEMBLY) AN ARTICLE WAS ADDED TO THE CONSTITUTION THAT STATED THAT THE DOCUMENT WOULD COME INTO FORCE WHEN SIGNED BY THE PRESIDENT. ON FEBRUARY 24 PRESIDENT DAUD SIGNED THE NEW CONSTITUTION IN THE PRESENCE OF HIS CABINET AND "MEMBERS OF THE CENTRAL COMMITTEE".

2. COMMENT: WHILE IT IS SOMEWHAT ANOMALOUS THAT A PRESIDENT WHO WAS ELECTED UNDER THE NEW CONSTITUTION SHOULD BRING THE CONSTITUTION INTO FORCE WITH HIS SIGNATURE, THIS MAY SIGNIFY NO MORE THAN A DESIRE FOR A CEREMONIALLY DEFINITIVE TEXT OF THE DOCUMENT. IT ALSO SERVES TO EMPHASIZE, HOWEVER, THAT WHILE THE LOYA JIRGAH IS THE NATIONAL INSTITUTION

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FOR MATTERS OF GREAT IMPORTANCE, POWER ULTIMATELY

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RESIDES WITH THE PRESIDENT.
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